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PATENT  
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#5

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF MAILING

I hereby certify under 37 C.F.R. 1.10 that this correspondence is being deposited with the United States Postal Service as Express Mail Label No. EV635673233US with sufficient postage on the date indicated below and in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

☒ [ X ] If checked, two copies of this correspondence are enclosed.

Date of Deposit: 7-19-2005

Dawn M. Janelle

Signature

Dawn M. Janelle

Printed name of person mailing correspondence

Applicant: SCHROFF, Robert W.

Art Unit: Unknown

Serial No.: 10/523,311

Examiner: Unknown

Filed: January 26, 2005

Title: USE OF CHYMASE INHIBITORS FOR THE PREVENTION AND/OR TREATMENT OF ARTERIO-VEINUS GRAFT FAILURE

**INFORMATION DISCLOSURE STATEMENT AND AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This Information Disclosure Statement is submitted:

☐ [ ] under 37 CFR 1.129(a), or  
(First/Second submission after Final Rejection)

☒ [ X ] under 37 CFR 1.97(b), or  
(Whichever occurs last of the following: within three months of filing national application; within three months of date of entry of the national stage in international application; before the mailing date of first office action on the merits; or before the mailing of a first Office action after the filing of a request for continued examination)

☐ [ ] under 37 CFR 1.97(c) together with either:

☐ [ ] a Statement under 37 CFR 1.97(e), as checked below, or

☐ [ ] a \$180.00 fee under 37 CFR 1.17(p), or

(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)

☐ [ ] under 37 CFR 1.97(d) together with:

☐ [ ] a Statement under 37 CFR 1.97(e), as checked below, and

☐ [ ] a Petition under 37 CFR 1.97(d)(2), and

☐ [ ] a \$130.00 petition fee set forth in 37 CFR 1.17(i).

(Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)

☐ [ ] Applicant requests that the attached IDS and cited reference(s) [ ] be placed in the application filewrapper.  
(Filed after payment of issue fee)

☒ [ X ] Some of the listed references were cited in a European Search Report in a counterpart European application or cited in a communication from a foreign patent office in a counterpart foreign application.

- [ ] Enclosed herewith is form PTO/1449 (1 page; reproduced form), with a copy of each reference noted thereon.
- [ X ] Enclosed herewith is form PTO/1449 (1 page; reproduced form), with a copy of selected references noted thereon. As per the change to 37 CFR 1.98(a)(2) published in the September 21, 2004 Federal Register and effective as of October 21, 2004, in which the requirement for a copy of each U.S. Patent or U.S. Patent application publication listed in an IDS has been eliminated regardless of the filing date of the application (unless required by the Office), copies of any United States Patent or Patent Publications are not enclosed.
- [ ] Copies of the reference(s) noted on the enclosed form PTO/1449 (N pages, reproduced form) were previously cited by or submitted to the Patent and Trademark Office in connection with U.S. Application Serial No. [ ], from which the present application claims benefit under 35 U.S.C. § 120 (37 C.F.R. 1.98(d)). Applicants request that copies of art in U.S. Application Serial No. [ ] cited on the enclosed PTO/1449 form be transferred to the present U.S. Application Serial No. [ ].

Concise Explanation Requirement (non-English references):

- [ ] The "concise explanation" requirement for reference(s) [ ] under 37 CFR 1.98(a)(3) is satisfied by:
- [ ] the explanation provided on the attached sheet.
- [ ] the explanation provided in the Specification.
- [ ] submission of the enclosed International Search Report.
- [ ] the enclosed English language abstracts.

It is requested that the information disclosed herein be made of record in this application, and that the references listed on the enclosed form PTO/SB/08B appear under the "References Cited" heading of any Patent which issues from this application, (MPEP 1302.12).

Statement Under 37 CFR 1.97(e):

- [ ] Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- [ ] No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Method of payment:

- [ ] A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply.
- [ X ] No fee is believed to be due for this submission. However Applicant(s) hereby authorize the Commissioner to charge any fees that may be deemed to be due or to credit any overpayment to Deposit Account No. 50-0590. Two copies of this Statement are enclosed.
- [ X ] The Commissioner is hereby authorized to charge any deficiency in fees and credit any overpayment to Deposit Account 50-0590. Two copies of this Statement are enclosed.

Respectfully submitted,  
BIOMEASURE, INCORPORATED

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ATTORNEY DOCKET NO.  
125P/PCT/USAPPLICATION NO.  
10/523,311INFORMATION DISCLOSURE CITATION  
IN AN APPLICATION

(Use several sheets if necessary)

APPLICANT  
SCHROFF, Robert W.FILING DATE  
January 26, 2005GROUP/EXAMINER  
Unknown/Unknown

## U.S. PATENT DOCUMENTS

PATENT INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
/R.H./	A 5,079,336	Jan. 7, 1992	Rubin et al.			
	B 5,266,465	Nov. 30, 1993	Rubin et al.			
	C 5,367,064	Nov. 22, 1994	Rubin et al.			
	D 5,691,335	Nov. 25, 1997	Fukami et al.			
	E 5,723,316	Mar. 3, 1998	Cooperman et al.			
	F 5,814,631	Sep. 29, 1998	Fukami et al.			
	G 5,948,785	Sep. 7, 1998	Akahoshi et al.			
	H 6,080,738	Jun 7, 2000	Akahoshi et al.			
	I 6,159,938	Dec 12, 2000	Gyorkos et al.			
	J 6,271,238	Aug. 7, 2001	Suzuki et al.			
	K 6,355,460	Mar. 12, 2002	Clark et al.			
	L 6,372,744	Apr. 16, 2002	Qabar et al.			
/R.H./	M 6,410,576	Jun. 25, 2002	Nishimura et al.			

## FOREIGN PATENT DOCUMENTS

DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES NO

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

/R.H./	N	OKUNISHI et al., "Marked species-difference in the vascular angiotensin II-forming pathways: humans versus rodents," Jpn. J. Pharmacol., 1993, 62:207-210.
	O	OKUNISHI et al., "Angiotensin II (AII) antagonist, not ACE inhibitor, prevents neointima formation on injured canine arteries," J. Hypertension, 1994, 12(suppl 3):S132.
	P	SHIOTA et al., "Activation of two angiotensin-generating systems in the balloon-injured artery," FEBS Letters, 1993, 323:239-242.
	Q	TAKAI et al., "Induction of chymase that forms angiotensin II in the monkey atherosclerotic aorta," FEBS Letters, 1997, 412:86-90.
	R	TAKAI et al., "Effects of a novel chymase inhibitor, NK3201, on canine intimal hyperplasia after balloon injury," Circulation, 2001, abstract 1135.
	S	TAKAI et al., "Oral administration of a specific chymase inhibitor, NK3201, inhibits vascular proliferation in grafted vein," Life Sci., 2001, 69:1725-1732.
/R.H./	T	TRONG et al., "Substrate specificity of the chymotrypsin-like protease in secretory granules isolated from rat mast cells," Proc. Nat. Acad. Sci., 1987, 84:364-367.

EXAMINER /Raymond Henley lii/

DATE CONSIDERED  
10/21/2008